

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:16-cv-132

DAVID CHRISTOPHER JUSTICE
and LISA JUSTICE,

Plaintiffs,

v.

GREYHOUND LINES, INC.
and J.L. ROBINSON,

Defendants.

NOTICE OF REMOVAL

TO: The United States District Court
For the Eastern District of North Carolina
Western Division

Defendant Greyhound Lines, Inc. ("Greyhound"), through its undersigned counsel, does hereby exercise its rights under the provisions of Title 28 U.S.C. § 1441 et seq., to remove this action from the General Court of Justice, Superior Court Division, Wake County, North Carolina, in which this cause is now pending as Case No. 16 CVS 2045. Defendant shows unto the Court as follows:

1. This is an action of a civil nature in which the District Courts of the United States have been given original jurisdiction pursuant to Title 28 U.S.C. § 1332 in that complete diversity of citizenship existed at the time of the filing of this action and still exists as between the plaintiffs on the one hand and the defendants on the other, and the amount in controversy exceeds the sum of \$75,000.00, exclusive of interest and costs.

2. Under the provisions of 28 U.S.C. § 1441 et seq., the right exists to remove this cause from the General Court of Justice, Superior Court Division, Wake County, North Carolina, to

the United States District Court for the Eastern District of North Carolina, which is the District where this action is pending.

3. In their Complaint, plaintiffs assert claims against the defendants founded in negligence and seeks to recover compensatory and punitive damages allegedly arising out of defendants' conduct.

4. Upon information and belief, plaintiffs are now, and were at the commencement of this action, citizens and residents of Alamance County, North Carolina.

5. Defendant Greyhound is now, and was at the commencement of this action, a corporation organized under and by virtue of the laws of the State of Texas, with its principal place of business in Dallas, Texas.

6. Upon information and belief, defendant J.L. Robinson is now, and was at the commencement of this action, a citizen and resident of Lawrenceville, Georgia.

7. The date on or before which defendant Greyhound is required by the Rules of Civil Procedure of the State of North Carolina to answer or otherwise plead to plaintiffs' Complaint has not lapsed.

8. In accordance with the requirements of Title 28 U.S.C. § 1446, defendant Greyhound is electronically filing herewith a copy of all process, pleadings, and orders served upon it in this action (Exhibit A) and this Notice of Removal is being filed within thirty (30) days after the receipt by this defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which the action is based.

9. Service of this Notice of Removal is being made upon on all parties as required by law.

10. After filing this Notice of Removal, defendant Greyhound will serve upon the plaintiff and file with the Clerk of Superior Court of Wake County, as required by law, a "Notice of Filing of Notice of Removal."

WHEREFORE, defendant Greyhound prays that this action be removed to this Court for further proceedings, as though this action had originally been instituted in this Court.

This the 28th day of March, 2016.

YOUNG, MOORE, AND HENDERSON P.A.

BY: /s/ Brian O. Beverly
BRIAN O. BEVERLY
State Bar No. 21925
Attorneys for Defendants
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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that he served the foregoing document upon the attorney(s) shown below by depositing a copy of same in the United States mail, postage prepaid, addressed to said attorney(s).

This the 28th day of March, 2016.

YOUNG, MOORE, AND HENDERSON P.A.

BY: /s/ Brian O. Beverly
BRIAN O. BEVERLY
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Served on:

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